

## **CONSERVATORSHIP CALENDAR NOTES**

**July 10, 2020**

**10:00 AM, Department 40**

**Placer County Superior Court**

**UPDATED July 8, 2020, 8:00 AM**

**All current local court COVID-19 information is at <http://www.placer.courts.ca.gov/general-covid-19.shtml>. In particular, please note:**

**Local Rule 10.28, "Remote Appearances—COVID-19 State of Emergency Temporary Rule," enacted April 6, 2020, requires remote telephone appearances for most court hearings. See Local Rule 10.28 for more details.**

**Local Rule 10.27, "eDelivery," requires electronic filing of documents by attorneys and represented parties.**

These calendar notes are provided pursuant to Local Rule 80.1.4 for the conservatorship calendar set for hearing **July 10, 2020, 10:00 AM, in Department 40**, Commissioner Michael A Jacques, presiding. Pursuant to Local Rule 80.1.4, these calendar notes are **not** a tentative ruling on the merits of any matter before the court.

Updated notes may be posted at any time. Notes will generally be updated the court day prior to the hearing. Staff may respond to limited questions concerning calendar notes; however, court staff may not give legal advice to parties or attorneys. Messages may be left for the Office of Legal Research at (916) 408-6119.

---

### **1. S-PR-0004235 Sudia, Benjamin - In Re the Conservatorship Of**

7th account is recommended for approval as prayed.

However, in light of the delay in filing the account (account period closed more than 7 months before the account was filed), it is recommended the 8th account, covering the account period ending no earlier than October 31, 2021, be set for hearing March 6, 2022, 10:00 a.m., in Department 40.

**2. S-PR-0007117 Reisinger, Kurt - In Re the Conservatorship of**

No appearance is required. Fifth account filed Jun 19, 2020, was set for hearing August 28, 2020, 10:00 a.m., in Department 40. It is recommended this matter be continued to that date.

**3. S-PR-0008296 Howlett, Kerry; In re conservatorship of**

Appearance is required for order to show cause why this matter should not be ordered transferred to Alameda County Superior Court.

No response by conservator has been filed.

It is recommended this matter be ordered transferred to Alameda County Superior Court, with an order that conservator contact the clerk forthwith to facilitate the transfer.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

**4. S-PR-0009046 Kilmer, Beatrice A.; In re conservatorship of**

Petition for attorney fees

Appearance is required for continued hearing on petition for attorney fees and for order authorizing substituted judgment trust to pay fees.

Missing notice of hearing (use of mandatory form notice is required; and see Prob.C. § 1211). Missing service of notice of hearing, including service to court-appointed counsel for conservatee / trust beneficiary.

Note: trustee has not petitioned for the court to fix bond as required by trust Art. V, ¶ 3, and has never posted a trustee bond. The nominal conservatorship bond posted more than a year before the substituted judgment was granted is not sufficient to meet the trustee bond requirement.

Joyce Heuser has not filed any inventory and appraisal for the conservatorship estate.

The first substituted judgment trust account is due but no account has been filed.

The court has no information concerning the condition of either the conservatorship or the trust estate. It is recommended that no fees be awarded until these matters are addressed to the court's satisfaction.

Conservatorship account

Appearance is required for hearing on conservatorship account.

Missing conservatorship account.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

**5. S-PR-0009554 Miller, Johnnie L. - In Re the Conservatorship of**

1st conservatorship account and trustee account

Appearance is required for hearing on 1st conservatorship account and trustee account.

Points and authorities are needed to support conservator's action surrendering the conservatorship estate to the trust.

Petition for attorney fees (Gibson)

Petition for attorney fees is recommended for approval as prayed.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

**6. S-PR-0009947 Bevacqua, Peter S.- In re the Conservatorship of**

Appearance is required for on petition for attorney fees.

Additional information is needed: conservator has not filed an inventory and appraisal; additional information is needed to establish whether conservatee has sufficient assets to pay the requested fees.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

**7. S-PR-0010104 Montgomery, Ann ; In re the Conservatorship of**

Appearance is required for continued hearing on amended petition for appointment of conservator of the person and estate.

Missing appearance / report of court appointed counsel for respondent.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

**8. S-PR-0010317 Gagnier, Helena Gibson ; In re the Conservatorship of**

Appearance is required for hearing on petition for appointment of conservator of

the person and estate.

Missing investigation report.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

**9. S-PR-0010325 Garibaldo, Gustavo ; In re the Conservatorship of**

Appearance is required for hearing on petition for appointment of joint limited conservators of the person.

Missing appearance / report by court-appointed counsel for respondent.

Missing investigation report.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.